

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**MINUTES
KAUAI/NIIHAU ISLANDS BURIAL COUNCIL MEETING**

DATE: TUESDAY, MAY 3, 2005
TIME: 10:30 A.M.
PLACE: KAUAI COUNTY COUNCIL CHAMBERS
5396 RICE STREET
LIHUE, HAWAII 96766

ATTENDANCE: La France Kapaka-Arboleda, Chair
Members: Grace H. Kamai
Tom Shigemoto, Vice Chair
Catherine Ham Young Pfeffer
Leiana Robinson
Barbara Say
Mark Hubbard
Henrietta Thaxton

Absent: Donna Aana-Nakahara

Presley Wann
John Kruse

Staff: Kanai Kapeliela, Historic Sites Specialist
Nancy McMahon, Kauai Archaeologist
Vince Kanemoto, Deputy Attorney General

Guests: Cheryl Lovell-Obatake

I. CALL TO ORDER

Meeting was called to order by Chair Kapaka-Arboleda at 10:32 a.m.

II. BUSINESS

A. WAIPOULI BEACH RESORT PROJECT, WAIPOULI, KAWAIHAU DISTRICT, KAUAI [TMK: (4) 4-3-008:001]

Informational/Recommendation: Discussion of site visit; status update.

Site visit was conducted at 9:00 a.m. for the Burial Council Members to visit the Waipouli Beach Resort Project.

B. INADVERTENT DISCOVERY OF HUMAN SKELETAL REMAINS AND HANDLING PROCEDURES ON DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL) PROPERTY

Informational/Recommendation: Discussion and recommendations regarding DHHL procedures in the event of inadvertent discoveries, curation, disposition, and the role of the Kauai/Niihau Islands Burial Council in the process.

Nancy McMahon shared that currently there are four burials left in the state container and the Department of Hawaiian Home Lands (DHHL) has never gotten back to DLNR as to what DHHL wants to do with the burials.

The DHHL had their annual meeting last week, so the burials were delivered to their office. We had asked DHHL to make a commitment to meet with our SHPD staff and the Burial Council to come up with a plan to reinter these remains. The burials were coming from the DHHL in Anahola.

Kanai Kapeliela said he spoke with Kamanao Mills from DHHL. Mr. Mills was aware of the situation and was working on a memorandum concerning the four burials. He said any burials found on DHHL was under the Federal law which is NAGPRA. The State does not have jurisdiction over these burials found on DHHL. Kapeliela explained to the audience a little about the process when a burial is found on DHHL.

Chairperson Kapaka-Arboleda said the main thing is that the burials are going to be taken care of and that we have it in writing from DHHL that they will be addressing these issues.

C. UPDATES

Informational/Recommendation: Coco Palms Additional Archaeological Testing; Haena Tunnels Beach ID.

COCO PALMS ADDITIONAL ARCHAEOLOGICAL TESTING

McMahon gave a summary on the Coco Palms Additional Archaeological Testing. Cultural Surveys revised their Inventory Report for the Coco Palms Resort. They did additional testing for the proposed underground parking structure where they previously found burials. During the testing, they found no burials. The only work to be done now is the demolition of the building with archaeological monitoring during work. The Inventory Report was approved.

Chair Kapaka-Arboleda asked if Cultural Surveys did any testing where the bridge footing will be. She was concerned about the span of the bridge because there are burials there that would be disturbed.

McMahon said she would ask Cultural Surveys if testing was done in the bridge area.

Cheryl Lovell-Obatake shared her concerns regarding the bridge. The work that will be done on the bridge would include going down at least 10-feet down to the ground. Department of Transportation will also be putting another lane for drives to go back to Lihue. During the public hearings, there were last-minute modifications to the plan. Lovell-Obatake was concerned that a lot of the agencies were uninformed about the last-minute modifications and she wondered if the Burial Council was informed about the changes to the plan.

McMahon said she had a number of inadvertently calls but they all turned out to be animals.

HAENA TUNNELS BEACH ID

McMahon updated the council on the Haena Tunnel Beach. She responded to a burial call at Tunnel Beach area, one lot away from the Zimmerman property. The remains were human and were left in place because it was in a grassy bank area. McMahon believed there might be other burials in the same area.

III. ANNOUNCEMENTS

The Council was updated on the present status on staffing for SHPD.

IV. ADJOURNMENT

The meeting was adjourned at 10:50 a.m.

Respectfully submitted,

Jocelyn Nazareno
SHPD Clerk